

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Tsegahun Boru,

Civil 08-4849 JNE/FLN

Plaintiff,

v.

O R D E R

State of Minnesota and  
Hennepin County,

Defendants.

---

Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Franklin L. Noel dated August 26, 2008, all the files and records, and no objections having been filed to said Report and Recommendation,

**IT IS HEREBY ORDERED** that:

1. Plaintiff's application to proceed without prepayment of fees [#2] is DENIED;
- and
2. This action is DISMISSED pursuant to 28 U.S.C. §1915(e)(2)(B)(ii).

DATED: October 1, 2008.  
at Minneapolis, Minnesota

s/ Joan N. Ericksen  
JUDGE JOAN N. ERICKSEN  
United States District Court